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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,591	06/30/2003	Jeremy L. Rover	42P17062	5246
8791 7590 02/09/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER OSMAN, RAMY M	
			ART UNIT 2157	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/611,591	Applicant(s) ROVER ET AL	
	Examiner Ramy M. Osman	Art Unit 2157.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-20 and 27-29 is/are allowed.
- 6) ☒ Claim(s) 1-14 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is responsive to application filed on June 30, 2003. Claims 1-29 are pending examination.

Drawings

2. The drawings filed on 6/30/2003 are acknowledged and are objected to. The drawings are informal and are unacceptable. Figures 3 and 8 contain unreadable text.

Specification

3. The disclosure is objected to because of the following informalities:

Applicant is requested to correct the referenced related patent applications that are mentioned in Paragraph 1 and other subsequent paragraphs throughout the specification .

Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 21-26 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. For example, in claim 21 Applicant states: "an electronically accessible medium providing instructions...". The "electronically accessible medium" is non-statutory

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because it is a medium that is used for storage of instructions and not provision of instructions.

The limitation characterizes the medium as having an ability to perform an action, i.e. "provide".

However, a "medium" has no such capability. The medium is for storage purposes only, that

when accessed by a computer can be executed by said computer to produce a useful, concrete

and tangible result. Therefore, the "medium" as mentioned in the claims is not enabled to make

the claim produce a useful, concrete and tangible result. (see MPEP 2106.01)

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-14 and 21-26 rejected under 35 U.S.C. 102(e) as being anticipated by Gai et al (US Patent No 6,697,360).**

7. In reference to claim 1, Gai teaches a method comprising:

referencing an electronic file to determine whether a network layer address providing server interface and a router interface are on the same subnet (column 11 lines 30-50);

determining configuration information for the network layer address providing server interface based, at least in part, on information in the electronic file (column 11 lines 30-50);

and

determining configuration information for the router interface based, at least in part, on information in the electronic file (column 11 line 44 – column 12 line 20).

8. In reference to claim 2, Gai teaches the method of claim 1, wherein the network layer address providing server interface is a Dynamic Host Configuration Protocol (DHCP) server interface (column 7 lines 1-20).

9. In reference to claim 3, Gai teaches the method of claim 2, wherein referencing the electronic file to determine whether the Dynamic Host Configuration Protocol (DHCP) server interface and the router interface are on the same subnet further comprises: creating a virtual memory map based on the referenced electronic file; and analyzing the virtual memory map to determine whether the Dynamic Host Configuration Protocol (DHCP) server interface and the router interface are on the same subnet (column 11 line 30 – column 12 line 20).

10. In reference to claim 4, Gai teaches the method of claim 1, wherein referencing the electronic file comprises: referencing an electronic list of network components having a standardized syntax (column 11 lines 30-50).

11. In reference to claim 5, Gai teaches the method of claim 4, wherein the electronic list of available network components includes addressing scheme information to identify an addressing scheme for the listed network components (column 11 lines 30-50).

12. In reference to claim 6, Gai teaches the method of claim 1, wherein the network layer address providing server interface is a DHCP server interface; and wherein automatically determining configuration information for the DHCP server interface based, at least in part, on information in the electronic file comprises: determining an IP address of the DHCP server interface (column 12 lines 1-20).

13. In reference to claim 7, Gai teaches the method claim 6, wherein determining configuration information for the DHCP server interface based, at least in part, on information in the electronic file comprises: determining a gateway IP address for the subnet (column 12 lines 1-20).

14. In reference to claim 8, Gai teaches the method of claim 1, wherein automatically determining configuration information for the router interface based, at least in part, on information in the electronic file comprises: determining an IP address of the router interface (column 12 lines 44-67).

15. In reference to claim 9, Gai teaches the method of claim 1, wherein the network layer address providing server interface is a DHCP server interface; and further comprising: programmatically configuring the DHCP server with the determined configuration information (column 11 lines 30-50).

16. In reference to claim 10, Gai teaches the method of claim 9, wherein programmatically configuring the DHCP server with the determined configuration information comprises: calling a function to interact with the DHCP server and change its state (column 11 lines 30-50).

17. In reference to claim 11, Gai teaches the method of claim 10, wherein calling the function to interact with the DHCP server and change its state comprises: passing the determined IP address of the DHCP server interface and the determined gateway IP address to the DHCP server (column 12 lines 1-20).

18. In reference to claim 12, Gai teaches the method of claim 1, further comprising: programmatically configuring the router with the determined configuration information (column 12 lines 44-67).

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19. In reference to claim 13, Gai teaches the method of claim 12, wherein programmatically configuring the router with the determined configuration information comprises: calling a function to interact with the router and change its state (column 12 lines 44-67).

20. In reference to claim 14, Gai teaches the method of claim 13, wherein calling the function to interact with the router and change its state comprises: passing the determined IP address of the router interface to the router (column 12 lines 44-67).

21. In reference to claims 21-26, claims 21-26 are article of manufacture claims that correspond to the method claims of 12-14. Therefore, claims 21-26 are rejected bases upon the same rationale as the rejections of claims 1-14.

Allowable Subject Matter

22. Claims 15-20 and 27-29 allowed.

23. The following is an examiner's statement of reasons for allowance of the indicated allowable claims: The limitations regarding a node that is coupled to a server and to a router, the node referencing a file to determine if the server and router are on the same subnet, and then to configure the server and router respectively, is not found or taught either singly or in combination, by the prior art of record. Claims 15-20 and 27-29 are therefore found to be novel.

Conclusion

24. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and priority

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documents) is implied as being applied to teach the scope of the claims. The claims have been rejected based upon the broadest reasonable interpretation. The allowed claims are clearly distinguishable from the rejected claims. The rejected independent claims may be allowable if rewritten to overcome the above rejections and to correspond to the allowed independent claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO
February 4, 2007


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